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April 22, 2022

The Honorable Vera M. Scanlon
United States Magistrate Judge
United States District Court for the
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Capobianco, et al., v. City of New York, et al.*, 21-CV-06125 (LDH) (VMS)

Dear Magistrate Judge Scanlon,

We represent the plaintiffs. We write regarding our April 6, 2022 filing of the amended complaint and our request for summonses for the newly-added defendants.

In accordance with the Scheduling Order of March 29, 2022, we filed a red-lined copy of the amended complaint along with proposed summonses for the newly-added defendants on April 6, 2022 (ECF document 50). It appears that the Clerk's Office does not know how to interpret this red-lined filing as we have yet to be issued summonses and we do not know if the Clerk deems document 50 to be the operative pleading.

To avoid complications, and so we can serve the newly-added defendants, we request an order or clarification on how we can have the Clerk issue the summonses for the new defendants as well as deem the amended complaint, filed on April 6, the operative pleading.

We informed defense counsel this afternoon that we would be filing this letter.

Respectfully,

Richard Cardinale

Richard Cardinale
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Stephen Bergstein
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Jason Solotaroff
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Copy: All counsel